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How Secure Is Anybody?

Perhaps it's all for the good of national security, but it is enough to make an ordinary citizen very uneasy.

The Central Intelligence Agency has intervened in a federal court case involving a slander suit, and has asked the judge to accept its word that a man is a Soviet secret agent.

The suit was filed by an Estonian emigrant, known among his fellow emigres as an anti-Communist, but who was accused by a countryman of being a Communist agent. The CIA says the accuser is an undercover CIA agent, and was acting upon orders in making the accusation. The secret agency contends that the undercover agent, as a government official, is immune to prosecution for slander. Furthermore, its attorneys plead, the prosecution cannot challenge the immunity claim by cross-examining any CIA officials or the undercover agent, because they and their secret records are protected under the National Security statutes.

Lawyers and the judge say all this apparently is legal. But it makes one uneasy to see, in an open civil court of the United States, a man unable to face his accusers.

One wonders just how much the security of the nation would really be endangered if the facts in the case of some obscure Estonian emigres were brought out. And in any case, couldn't the judge at least be trusted to examine the CIA records and question its officials?

If one man can be labeled a Communist agent on the unsupported word of a secret government agency, how secure can anyone feel?